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<b>Date:</b> October 3, 2005	<b>Pages:</b> 3 (including this sheet)
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**REGARDING:**

<b>Title:</b>	NAND MEMORY ARRAY INCORPORATING MULTIPLE SERIES SELECTION DEVICES AND METHOD FOR OPERATION OF SAME		
<b>Application No.:</b>	10/729,865	<b>Filed:</b>	December 5, 2003
<b>Examiner:</b>	Nguyen, Van Thu T.	<b>Group Art Unit:</b>	2824
<b>Atty. Docket No.:</b>	023-0029	<b>Confirmation No.:</b>	8494

**ATTACHED HERETO:**

- (1) Response to Restriction Requirement (2 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): En-Hsing Chen, et al.

Title: NAND MEMORY ARRAY INCORPORATING MULTIPLE SERIES  
SELECTION DEVICES AND METHOD FOR OPERATION OF SAME

Application No.: 10/729,865 Filed: December 5, 2003

Examiner: Nguyen, Van Thu T. Group Art Unit: 2824

Atty. Docket No.: 023-0029 Confirmation No.: 8494

October 3, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

This paper is responsive to the Office action dated September 1, 2005, having a shortened statutory period for reply ending on October 3, 2005 (October 1, 2005 falling on a Saturday).

*Election of Invention/Species*

In response to the Examiner's restriction/election requirement, Applicant provisionally elects WITH TRAVERSE Group I, Species 3, being pending claims 1, 21, and 24-28, as grouped by the Examiner. Withdrawal or reconsideration of the requirement is respectfully requested.

Applicant respectfully submits that a proper requirement for a restriction requirement has not been made. The Office action (in paragraph 2) states "The inventions are distinct, each from the other because of the following reasons:" However, *no such reasons* are stated. MPEP 816 requires that:

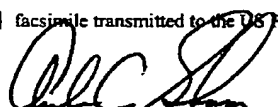
The particular reasons relied on by the examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. The reasons upon which the conclusion is based should be given.

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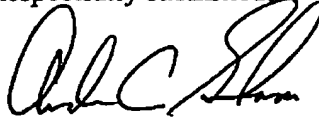
Moreover, MPEP 816 also states that the paragraph [¶ 8.13] recited by the Examiner in the Office action "should be followed by one of form paragraphs 8.14-8.20.02 to show distinctness."

Applicant respectfully submits that there is no statement in support of the conclusory statement made in this paragraph of the Office action. An objective reading of the Office action provides no specific understanding of the basis for the Examiner's position that the inventions are distinct. Instead, the Office action continues to numbered paragraph 3 and its discussion of the various alleged species.

In summary, claims 1-60 remain in the case. The Examiner is requested to reconsider this restriction requirement, or failing that, to proceed with the examination of the provisionally elected claims 1, 21, and 24-28. Applicant notes that additional claims 3-6, 22, 23, and 29-37 depend from one of the elected claims.

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Respectfully submitted,



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